

1 **WAGANAKISING ODAWAK STATUTE #**
2 **COMPENSATION FOR TRIBAL COUNCIL**
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5 **SECTION I. PURPOSE**
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7 This Compensation Statute is hereby enacted to establish the compensation levels for the Tribal
8 Council based on Constitutional duties. This Statute replaces and repeals Waganakising Odawak
9 Statute 2010-017 Constitutionally Mandated Compensation for Tribal Council Members,
10 Waganakising Odawak Statute 2008-014 Constitutionally Mandated Compensation Statute
11 Waganakising Odawak Statute 2003-05 *Tribal Council Compensation* and WOS 2005-04
12 *Constitutionally Mandated Compensation* and any previous Statute, Resolution or Policy
13 language with regard to compensation levels for such positions as stated in this purpose.
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16 **SECTION II. DEFINITIONS**
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18 **A.** “*Salary*” means the amount of annual pay for attendance at regularly scheduled Tribal
19 Council meetings, work-sessions, legislative committee meetings, phone-polls, phone
20 conferences, emergency meetings, hearings, travel, training, ~~or~~ electronic meetings, and any
21 other activity in conjunction with carrying out Tribal Council Constitutional duties or any
22 relevant Statute, to be paid pro rata, in equal increments and shall follow the practice of the Little
23 Traverse Bay Bands of Odawa Indians governmental employees.
24

25 **B.** “*Stipend*” for attendance at non-regularly scheduled meeting and work session, special or
26 emergency meetings, hearings, attendance at legislative committee meeting where the Councilor
27 is either the chair or a member of the committee, trainings; and any other events or activities
28 approved by policy or motion in advance and shall be limited to one stipend per day.
29

30 **C.** “*Tribal Constitution*” means the LTBB Constitution adopted by the Tribal Membership
31 February 1, 2005.
32

1 **D.** “Tribe” shall mean the Little Traverse Bay Bands of Odawa Indians.
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4 **SECTION III. COMPENSATION CHANGE RESTRICTIONS**
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6 Any statutory amendment changing the level of compensation for a Tribal Council members
7 must be enacted before the Election Board distributes candidate petitions for the next election.
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10 **SECTION IV. COMPENSATION ESTABLISHED**
11

12 **A.** ~~Cost of Living Allowance, (COLA). The below stated compensation shall be subject to~~
13 ~~COLA, and shall be accumulative in its effect. The amount and timing of any adjustments of the~~
14 ~~compensation for COLA shall follow the practice of the Tribal government employees.~~ The
15 following Tribal Council positions will be compensated as follows:
16

- 17 1. Legislative Leader, \$35,000.00, ~~plus accumulative COLA~~
- 18
- 19 2. Tribal Treasurer, \$35,000.00, ~~plus accumulative COLA~~
- 20
- 21 3. Tribal Secretary, \$35,000.00, ~~plus accumulative COLA~~
- 22
- 23 4. Six (6) Tribal Council members; \$30,000.00, ~~plus COLA~~
- 24

25 **B.** The above compensation shall be subject to federal and state (if applicable) taxation. Tax
26 withholdings are elective and may be withheld from each payment.
27

28 **C.** Additionally Tribal Council members shall be able to participate in the following:
29 contributions to the Tribe’s retirement plan or a similar plan shall be allowed with the same

1 conditions and restrictions applied to Tribal employees and other contributors in the Tribal
2 Government Retirement plan including health insurance, life insurance and other Tribal
3 insurance programs at the same rate as governmental employees.

7 SECTION V. TRAVEL EXPENSE

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9 Travel expenses for approved travel shall be paid in advance or reimbursed at the same rate as
10 allowed employees in the Tribal Council approved Tribal Governmental Employees Travel
11 Reimbursement Policy, or as amended.

14 SECTION VI. TRIBAL COUNCIL COMMITTEES

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16 Chairs and members of Tribal Council committees, that are either standing committees or ad hoc
17 committees that approved by Tribal council, shall be paid a stipend to attend the committee
18 meeting. Other Councilors may attend the meetings but shall not be paid a stipend.

21 SECTION VII. WORKGROUPS, TEAMS, OTHER MEETINGS

22
23 Councilors who participation in or attendance workgroups, teams or other meetings shall not be
24 paid a stipend, ~~unless approved by Tribal Council.~~

28 SECTION VIII. ABSENTEEISM

29
30 A. All Tribal Councilors are required to attend Tribal Council meetings, Work-sessions and
31 committee meetings wherein they are a member of the committee or the committee chair.

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Sponsor Beatrice A..Law [posted 01/08/16](#)

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1 **B.** Tribal Council may remove a Councilor from a committee as either the Chair or
2 Committee member for habitually or frequently absenteeism from Tribal Council meetings,
3 Work-sessions or Tribal Council Committee meetings wherein they are a member of the
4 committee or the committee chair. ~~or~~
5
6 ~~A.~~ Tribal Council may remove a Councilor from ~~may remove~~ their officer status of
7 Legislative Leader, Secretary or Treasurer for habitually or frequently absenteeism from Tribal
8 Council meetings, Work-sessions or Tribal Council Committee meetings wherein they are ~~either~~
9 a member of the committee or the committee chair. ~~the Chair or a member of the Committee.~~
10 **C.**
11 ~~B.D.~~ Removal from a Committee or removal of officer status shall only be by a majority vote
12 of Tribal Council.
13
14

15 SECTION IX. COMPENSATION PROHIBITIONS

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17 Persons receiving compensation authorized by this Statute shall be prohibited from:

- 18
19 **A.** Receiving unemployment compensation for any reductions or termination of said
20 compensation.
21
22 **B.** Receiving any other type of payment for compensation not explicitly listed in this
23 Statute, including stipends. Stipend means a set amount of money paid for attendance.
24
25 **C.** Receiving overtime provision.
26
27 **D.** Exception: In the event where the Legislative Leader becomes the acting chair, the
28 Secretary shall receive an additional salary of \$5,000.00 , to be paid pro rata, in equal
29 increments and shall follow the practice of the Little Traverse Bay Bands of Odawa Indians

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1 ~~governmental employees, plus the accumulated COLA~~ for time that he or she assumes the duties
2 of the former Legislative Leader.

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5 **SECTION X. EMPLOYMENT**

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7 In accordance the Tribal Constitution, Tribal Council members if employed as enterprise
8 employees of a Tribal enterprise may not hold more than one fulltime paid position, even if they
9 decline pay for one of the positions.

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12 **SECTION XI. SEVERABILITY**

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14 If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for
15 any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion
16 shall be deemed a separate, distinct and independent provision and such holding shall not affect
17 the validity of the remaining portions thereof.

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20 **SECTION XII. EFFECTIVE DATE**

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22 Effective upon signature of the Executive or thirty (30) days from Tribal Council
23 approval whichever comes first or if the Executive vetoes the legislation, then upon Tribal
24 Council override of the veto, but shall not be implemented until after the next election and until
25 the next Tribal Council or individual councilors are sworn in.

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28 **CERTIFICATION**